



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,394	03/19/2001	Kenneth H. Crain	108292.00003	3372

7590 03/08/2005

Steven W. Thrasher
Jackson Walker, LLP
2435 North Central Expressway, #600
Richardson, TX 75080

EXAMINER

NGUYEN, CAO H

ART UNIT	PAPER NUMBER
----------	--------------

2173

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/812,394

Applicant(s)

CRAIN ET AL.

Examiner

Cao (Kevin) Nguyen

Art Unit

2173

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-21 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/20/04.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Seet et al. (US Patent No. 6,496,803 B1).

Regarding claim 1, Seet discloses a method of reconstructing visual stimuli observable through a browser-based interface, comprising: receiving a selection of content for reconstruction [..for web site and HTML pages to provide a classification code for their contents to facilitate matching of advertisers with content providers.; see col. 7, lines 7-50]; retrieving data related to the content [see col. 10, lines 1-27]; calculating an amount of content to display based on the data; and reconstructing the display, wherein the reconstructed display represents visual stimuli as it was previously displayed [..to calculate an amount to be paid for inserting the advertisement into the content identified in field, time the advertisement should be displayed.; see col. 19, lines 1-39].

Regarding claim 2, Seet discloses the method of claim wherein the parameter is a network address of all online content immediately displayed within a browser window at a point in time [..the process flow starts with the identification of a desired content by a reader and browser software user.; see col. 20, lines 7-53].

Regarding claim 3, Seet discloses the method wherein the parameter is a two dimensional offset of the online content as it is displayed within a browser window (see col. 10, lines 1-65).

Regarding claims 4 and 5, Seet discloses wherein the parameter comprises textual and binary objects systematically displayed within each browser window (see col. 16, lines 1-67).

Regarding claim 6, Seet discloses wherein the parameter is a graphical image of online content as displayed in a browser window (see col. 20 ,lines 1-6 and figure 8d).

Regarding claim 7, Seet discloses wherein the parameter is an inventory of objects that comprise online content, and the two-dimensional position of each object in a browser window (see col. 13, lines 23-61).

As claims 8-13 are analyzed as previously discussed with respected to claims 1-7 above.

Regarding claims 14-16, Seet discloses wherein data is stored as an article identifiable as an alphanumeric string; and comprising assigning a unique ID to each parent web page and each child web page (see col. 14, lines 1-63).

As claims 16-21 are analyzed as previously discussed with respected to claims 1-7 and 14-16 above.

Response to Arguments

Applicant's arguments filed on 08/16/04 have been fully considered but they are not persuasive.

On page 9-10 of the Remarks; Applicant argues that Seet does not teach or suggest “retrieving data related to the content; calculating an amount of content to display based on the data; and reconstructing the display, wherein the reconstructed display represents visual stimuli as it was previously displayed. However, the limitations as claimed set forth to rely upon “an exemplary data record illustrating targeting information relating to a particular advertisement, such as that found in targeting information tables includes an advertisement name or other identification information that can be used to identify an advertisement both to the browser software and to the advertiser when a bill is presented. Fields include one or more demographic factors relevant to the advertisement identified in field. The demographic factors can include, for example, weightings used to calculate an amount to be paid for inserting the advertisement into the content identified in field, times the advertisement should be displayed, or even demographic information that would indicate that an advertisement should not be displayed ever to that particular demographic group. An exemplary data record illustrating demographic information relating to a particular content such as that found in targeting information tables. Field 720c includes a content name or other identification information that can be used to identify the content both to the browser software and to the advertiser when a bill is presented. Fields include data related to the particular demographics of the content. As discussed above, this information can be provided by the content provider in a targeting information table, or it can be generated/extracted by the advertisement database system and placed in a targeting information table. The demographic information of fields can relate to any of a number of demographic characteristics, including but not limited to the gender, age, education level, interests, occupation, geographic location, income level, and/or spending habits of the

Art Unit: 2173

individuals who commonly are interested in the content identified in field. By matching the demographic factors of with the demographic information, a processor can automatically identify targeted advertisements for insertion by the browser software. For example, summing the product of a numerical descriptor of the demographic information in fields with numerical weightings of the relative importance of the particular demographic information stored in fields a will provide an approximate idea of how targeted an advertisement will be to the demographic of a particular content.” Which broadly read on Seet (see figures. 6-8).

Accordingly, the claimed invention as represented in the claims do not represent a patentable distinction over the art of record.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (PTO-892).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2173

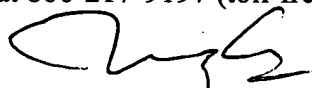
however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053.

The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

03/05/05